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Attorneys for Defendant

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

LUCAS BRUNO III, CHRISTOPHER )	CIVIL NO. 03-00567 JMS BMK
GAHR, FRANK ROBERT PAULSON, )	
CHARLES TURNER, and TOM )	DEFENDANT MICHAEL CHERTOFF'S
YOUNG, )	CONCISE STATEMENT OF THE CASE;
)	CERTIFICATE OF SERVICE
Plaintiffs, )	
)	
vs. )	
)	
MICHAEL CHERTOFF, Secretary, )	Trial: April 24, 2007
DEPARTMENT OF HOMELAND )	Judge: J. Michael Seabright
SECURITY, )	
)	
Defendant. )	
)	

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DEFENDANT MICHAEL CHERTOFF'S  
CONCISE STATEMENT OF THE CASE

Defendant Michael Chertoff, in his capacity as Secretary of the Department of Homeland Security, hereby submits his proposed Concise Statement of the Case:

Christopher Gahr was employed as a screening supervisor for the Transportation Security Administration beginning in April 2002. In October 2002 he was assigned to Kahului Airport on

Maui. TSA terminated Gahr's employment in late October 2002. Gahr contends that TSA terminated his employment because of his race (Caucasian) and color (white). TSA contends that it terminated Gahr because three different managers expressed serious concerns about his performance.

DATED: April 3, 2007, at Honolulu, Hawaii.

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

/s/ Thomas A. Helper  
By \_\_\_\_\_  
THOMAS A. HELPER  
Assistant U.S. Attorney

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MICHAEL CHERTOFF, Secretary, )	
DEPARTMENT OF HOMELAND )	
SECURITY, )	
)	
Defendant. )	
_____ )	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the date and by the method of service noted below, a true and correct copy of the foregoing was served on the following at their last known address:

Served by First Class Mail:

Moises A. Aviles April 3, 2007  
Aviles & Associates  
560 N. Arrowhead Ave., Suite 2A  
San Bernardino, CA 92401

Served Electronically through CM/ECF:

G. Todd Withy April 3, 2007  
[Withylawcourt@aol.com](mailto:Withylawcourt@aol.com), [withylaw@aol.com](mailto:withylaw@aol.com)

Attorneys for Plaintiff  
CHRISTOPHER GAHR

DATED: April 3, 2007, at Honolulu, Hawaii.

/s/ Coleen Tasaka-Shoda